

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**THE UNITED STATES OF AMERICA,**

**vs.**

**CASE NO. 3:99-CR-00315-023 (DRD)**

**ANA VARELA-CRUZ**

\*\*\*\*\*

**MOTION REQUESTING MODIFICATION  
OF THE SUPERVISED RELEASE CONDITIONS**

**TO THE HONORABLE DANIEL R. DOMINGUEZ  
UNITED STATES DISTRICT JUDGE  
DISTRICT OF PUERTO RICO:**

COMES NOW, **Benjamín Bonilla-López, U.S. Probation Officer** of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Ana Varela-Cruz, who was sentenced on April 6, 2001, to sixty (60) months of imprisonment to be followed by a four (4) year term of supervised release, after he plead guilty of violating 21 U.S.C. §§ 846. Among the special conditions, the offender was ordered to submit to urinalyses. Ms. Varela-Cruz was released on August 3, 2005, at which time the supervision term began.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS  
FOLLOWS:**

During an interview conducted with the offender on January 18, 2008, this probation officer advised Ms. Varela-Cruz that her conditions of supervision would be modified to include a search and seizure condition. The same was based on the nature of the instant offense and false information provided to the officer by Ms. Varela-Cruz, in relation to the search warrant executed at her grandson's apartment, who is also co-defendant of Ms. Varela-Cruz and a client of this officer. Therefore, after explaining her rights to a hearing to modify his conditions of supervised release, she voluntarily waved such right and signed PROB Form 49 (enclosed).

**WHEREFORE**, in lieu of the aforementioned, unless ruled otherwise, it is respectfully requested that

the Court modify Ms. Varela-Cruz conditions of supervised release to include that the defendant shall submit his person, residence, office, or vehicle to a search, conducted by a United States Probation Officer at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of release. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other residents that the premises may be subject to searches pursuant to this condition.

In San Juan, Puerto Rico, this 22<sup>nd</sup> day of May 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

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CERTIFICATE OF SERVICE

I HEREBY certify that on May 22, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: José Ruiz, Assistant U.S. Attorney and Teodoro Mendez-Lebron, Esq.

In San Juan, Puerto Rico, this 22<sup>nd</sup> day of May, 2008.

s/Benjamin Bonilla  
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